

Headquarters U. S. Air Force

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Section 508 of the Rehabilitation Act of 1973



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Section 508 of the Rehabilitation Act of 1973

- **Purpose:**
- This briefing provides a macro view of the background of Section 508 of the Rehabilitation Act of 1973, its evolution, the elements it impacts, and where to locate more details about the information I will present.



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Section 508 of the Rehabilitation Act of 1973

■ Overview:

- What is Section 508?**
- Section 508 Language**
- Evolution of Section 508**
- Who and what is impacted?**
- Important Definitions**
- Web Addresses**
- Summary**



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Section 508 of the Rehabilitation Act of 1973

- **What is Section 508?**
 - **Section 508 refers to a statutory section in the Rehabilitation Act of 1973 (found at 29 U.S.C. 794d)**
 - **Its primary purpose is to provide access to and use of Federal executive agencies' electronic and information technology (EIT) by individuals with disabilities**
 - **Allows administrative claims and law suits to be filed against the non-compliant Federal Department or Agency**



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- **Section 508 Language:**
- **When developing, procuring, maintaining, or using electronic and information technology, each Federal department or agency, including the United States Postal Service, shall ensure, unless an undue burden would be impose on the department or agency, that the electronic and information technology allows, regard-less of type of medium of the technology---**



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- **Section 508 Language (continued):** (*the EIT allows*)
- **(i) individuals with disabilities who are Federal employees to have access to and use of information and data that is comparable to the access to and use of the information and data by Federal employees who are not individuals with disabilities; and**



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- **Section 508 Language (continued):** (*the EIT allows*)
- **(ii) individuals with disabilities who are members of the public seeking information or services from a Federal department or agency to have access to and use of information and data that is comparable to the access to and use of the information and data by such members of the public who are not individuals with disabilities**



Evolution of Section 508

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- **21 Oct 1986: Section 508 was added to the Rehabilitation ACT of 1973**
 - Legislated access requirements
 - No enforcement provisions
- **7 Aug 1998: Workforce Investment Act of 1998 amended Section 508**
 - Established enforcement provisions
 - Administrative claims and lawsuits
 - Injunctive relief and attorney's fees
 - Tasked GSA with providing technical assistance
- **Nov 1999, Office of Management and Budget**
 - Asked the Office of Governmentwide Policy to take lead at GSA in ensuring a coordinated, Federal Government effort to meet the requirements of Section 508



Evolution of Section 508 ***(Continued)***

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- **1999: GSA launched the Federal IT Accessibility Initiative (FITAI)**
 - **Coordinate effective implementation of this requirement**
 - **May 10, 2000 requested agencies establish Section 508 Accessibility Coordinators**
- **December 21, 2000: Access Board Published (Electronic and Information Technology Accessibility Standards document)**
 - **Effective June 21, 2001; six months after publication**
 - **Defined Electronic and Information Technology**
 - **Defined the technical and functional performance criteria necessary for technology to comply with Section 508**



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Evolution of Section 508 ***(Continued)***

- **April 25, 2001: Section 508 FAR Final Rule**
 - **Mandated by Section 508 (a)(3); within six months after the Access Board publishes its Standards**
 - **Revised the Federal procurement policies and directives to incorporate the Board's standards**
 - **Effective June 25, 2001; two months after publication in the Federal Register**



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- **Categories of Electronic and Information Technology Impacted**
 - **Software Applications and Operating Systems**
 - **Web-based Intranet and Internet Information and Applications**
 - **Telecommunications Products**
 - **Video and Multimedia Products**
 - **Self-Contained Closed Products**
 - **Desktop and Portable Computers**



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■ **Important Definitions**

- **Information Technology (IT)** - Any equipment or interconnected system of equipment, that is used in the automatic acquisition, storage, manipulation, movement, control, display, switching, interchange, transmission, or reception of data or information.
- **Electronic and Information Technology (EIT)** - Includes information technology and any equipment or interconnected system of equipment, that is used in the creation, conversion, or duplication of data or information.
- **Undue Burden** - Significant difficulty or expense



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- **Equivalent Facilitation** - A recognition that technologies may be either developed or used in ways not envisioned by the technical provisions but still result in the same or better functional access.
- **Non-availability** - Refers to circumstances where no commercial items are available that meet the applicable Access Board's technical provisions (directly or through equivalent facilitation) in time to satisfy the agency's delivery requirements.
- **Alternative Access** - Different means of providing information, including product documentation, to people with disabilities.



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- **Web page addresses:**
- **Section 508 Home Page**
 - <http://www.section508.gov>
- **Access Board EIT Accessibility Standards**
 - <http://www.access-board.gov/sec508/508standards.htm>
- **Section 508 Far Final Rule**
 - <http://www.section508.gov/docs/Final99607A.htm>
- **Most Frequently Asked Questions (FAQs)**
 - <http://www.section508.gov/docs/508QandA.html>
- **Air Force CIO Web Page**
 - <http://cio.hq.af.mil>



Summary

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■ **Section 508 of the Rehabilitation Act of 1973**

- Accessibility of Federal Electronic and Information Technology (EIT) by Federal employees and members of the public with disabilities

■ **Entities covered**

- Federal departments and agencies including the U.S. Postal Service
- Contractors providing services or products to Federal agencies must provide Section 508 compliant deliverables

■ **Equipment covered**

- EIT products procured, developed, maintained, or used by a Federal agency
- EIT includes products that store, process, transmit, convert, duplicate, or receive electronic information
- Copiers, computers, fax machines, information kiosks, software, operating systems, web sites and telecommunications products

■ **Technical Standards**

- Published in the Federal Register on 21 Dec 2000
- Define EIT
- Establish the technical and functional performance criteria necessary for technology to comply with Section 508



Summary *(continued)*

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- **21 Jun 2001: Section 508 enforcement date**
 - EIT procured after this date
 - No Retro-fit required
- **Lawsuits may be filed**
 - Injunctive relief and Attorney's fees, only
- **Compliance actions continue after 21 Jun 2001**
- **It is the Law: it is mandatory**
- **It is the right thing to do**



Summary *(continued)*

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